

Appl. No. 10/600,393  
Reply to Second Advisory Action of June 17, 2005

Attorney Docket No. 2002-0066 / 24061.461  
Customer No. 42717

### **REMARKS**

Claims 20-22, 29 and 31 have been amended. Claims 1-33 are present in the application. In view of the foregoing amendments, and in view of the following remarks, Applicants respectfully request reconsideration.

#### **Allowed Claims**

With reference to the Office Action mailed on March 25, 2005, Applicants note with appreciation the indication that Claims 1-19 have been allowed.

#### **Comment on Statement of Reasons for Allowance**

In lines 11-15 on page 12, the March 25 Office Action sets forth a statement by the Examiner of reasons for allowing Claims 1-19. Applicants agree that Claims 1-19 are allowable. However, Applicants do not agree in all respects with the statement of reasons for allowance. For example, Applicants respectfully submit that the stated reasons should not be interpreted to mean that there are no other reasons which separately and independently support the allowability of independent Claim 1 and/or dependent Claims 2-19.

#### **Independent Claim 20**

Before issuing the second Advisory Action on June 17, 2005, Examiner Thomas telephoned the undersigned on June 15, in order to discuss independent Claim 20. Examiner Thomas asserted that Applicants' June 2 Response proposed amendments that changed the scope of Claim 20 and thus raised new issues. The undersigned disagreed, indicating that the June 2 version of Claim 20 did not appear to involve any significant change in scope from the version of Claim 20 presented in the Response dated December 22, 2004. Further, even assuming that the scope did change slightly, every feature recited in the June 2 version of Claim 20 was previously set forth in at least one of Claims 20, 21 and 29. Consequently, these features have all been

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previously searched and considered by Examiner Thomas, and there is clearly no new issue that would justify a refusal to enter and consider the June 2 Response. Two days later, on June 17, the Examiner mailed the second Advisory Action.

Thereafter, on June 20, 2005, the undersigned had a telephone discussion with Primary Examiner Mary Wilczewski (who signed the final rejection dated March 25, 2005). The undersigned explained the differing views between the undersigned and Examiner Thomas. Examiner Wilczewski then voluntarily proposed an amendment to Claim 20, which involved taking the June 2 version of Claim 20 and adding some further language (which is underlined below):

20. A method of forming multiple thickness gate insulator layers on a silicon containing substrate, comprising the steps of:

performing a first hydrofluoric (HF) pre-clean procedure;

forming a first dielectric layer over said silicon containing substrate, said forming of said first dielectric layer being carried out after said performing of said first hydrofluoric (HF) pre-clean procedure;

selectively removing using a photoresist shape said first dielectric layer from a second portion of said silicon containing substrate resulting in a first dielectric gate insulator layer, having a first insulator thickness, located on a first portion of said silicon containing substrate;

then removing said photoresist shape;

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then performing a second hydrofluoric (HF) pre-clean procedure; and

performing an oxidation procedure to form a second dielectric gate insulator layer, having a second insulator thickness greater than the first thickness, on said second portion of said silicon containing substrate, said performing of said oxidation procedure being carried out after said performing of said second hydrofluoric (HF) pre-clean procedure, wherein the removal rate of said second dielectric gate insulator layer is higher than the removal rate of said first dielectric layer using a prescribed etchant.

Examiner Wilczewski indicated that implementation of her proposed changes would render Claim 20 allowable. Accordingly, this Response amends Claim 20 by taking the December 22 version of Claim 20, implementing the un-entered changes previously proposed in Applicants' June 2 Response, and also implementing the additional changes proposed by Examiner Wilczewski, in order to present Claim 20 in the form that Examiner Wilczewski indicated would be allowable. Accordingly, it is respectfully submitted that Claim 20 is now in condition for allowance, and notice to that effect is respectfully requested.

Although Applicants agree amended Claim 20 as presented herein is allowable, that should not be interpreted to mean that the June 2 version of Claim 20 is not also allowable. Examiners Thomas and Wilczewski declined to consider the June 2 version of Claim 20 on the merits, and the June 2 version of Claim 20 has thus never been rejected as unpatentable over the prior art. Applicants reserve the right to file a continuation application presenting the June 2 version of Claim 20 for consideration on the merits.

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**Dependent Claims**

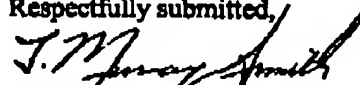
Claims 21-33 depend from Claim 20, and are also believed to be distinct from the art of record, for example for the same reasons discussed above with respect to Claim 20.

**Conclusion**

Based on the foregoing, it is respectfully submitted that all of the pending claims are fully allowable, and favorable reconsideration of this application is therefore respectfully requested. If the Examiner believes that examination of the present application may be advanced in any way by a telephone conference, the Examiner is invited to telephone the undersigned attorney at 972-739-8647.

Although Applicants believe that no fee is due in association with the filing of this Response, the Commissioner is hereby authorized to charge any additional fee required by this paper, or to credit any overpayment, to Deposit Account No. 08-1394 of Haynes and Boone LLP.

Respectfully submitted,

  
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Date: June 24, 2005

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Enclosure: None

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